

## REMARKS

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Claims 1-49, 51, 53, 54, 56, 58, 59, 61, 63, 65, 67, 69, 71 and 73 were pending when examined.

Claims 1-3, 2-49, 51, 53, 54, 56, 58, 59, 61, 63, 65, 67, 69, 71 and 73 were withdrawn from consideration as non-elected.

By this Amendment, claims 1-13, 18, 25, 47-49, 51, 53, 54, 56, 58, 59, 61, 63, 65, 67, 69, 71 and 73 are amended, and claims 14-17, 19-24 and 26-46 are cancelled.

Claims 1-13 are amended to recite that A is a phenyl ring or a pyridyl ring, and to recite that  $X_{\alpha}$ ,  $X_{A\alpha}$ ,  $X_A$ ,  $X_a$ ,  $X_a'$ ,  $X_a''$ ,  $X_I$ ,  $X_{II}$  and  $X_{II}'$  of the formulas I-XIII is a substituent on a carbon atom represents  $a_{3-1}$ -CH<sub>2</sub>-CO-NH- (wherein  $a_{3-1}$  represents a C1-C10 alkoxy group).

The group " $a_{3-1}$ -CH<sub>2</sub>-CO-NH- (wherein  $a_{3-1}$  represents a C1-C10 alkoxy group)" is supported by the following definition of  $X_a$  in original claim 4:

"an  $a_3$ -Z-NH- group (wherein  $a_3$  represents a C2-C10 alkenyl group, or a C1-C10 alkyl group substituted with a **C1-C10 alkoxy group**, a C1-C10 alkoxycarbonyl group, a carboxy group or a cyano group, and z represents a carbonyl group or a sulfonyl group)".

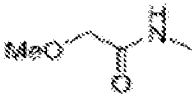
Claims 2, 4, 5, 6 and 8 are amended to provide definitions for variables, which were removed.

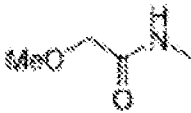
Claims 1-13 are also amended to make minor editorial changes that self-explanatory.

Claims 47-49 are amended to correspond with the amendments to claims 1-13, and to make minor editorial changes that are self-explanatory.

Claims 18, 25, 51, 53, 54, 56, 58, 59, 61, 63, 65, 67, 69, 71 and 73 are amended to end with a period.

## **I. Restriction Requirement**

On page 3 of the Office Action, the Examiner states that if , as representing X<sub>a</sub>, is within the scope of formulas I-III and V-XIII in claims 1-3 and 5-25, and

Applicants restrict X<sub>a</sub> in the formulas and claims to , the restriction of Groups I-III and V-VIII would be withdrawn.

Accordingly, Applicants have amended the claims to the scope suggested by the Examiner with the exception of a C1-C10 alkoxy group rather than a MeO group.

Applicants respectfully request the reconsideration and withdrawal of the restriction requirement.

Applicants also respectfully request rejoinder of the process of preparing claims and method of use claims upon of the allowance of the product claims.

## **II. Information Disclosure Statement**

Applicants respectfully request consideration of the references cited on the Information Disclosure Statement filed April 3, 2009 by initialing each reference cited on the Form PTO-1449.

### III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner find that anything further would be desirable in order to place the application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

Yoshitaka TOMIGAHARA et al.

/Andrew B.

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